

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BOARD OF TRUSTEES OF THE
PLUMBERS AND PIPEFITTERS UNION
LOCAL 525 HEALTH AND WELFARE
TRUST AND PLAN, *et al.*,

Plaintiffs,

v.

SECURITY PLUMBING & AIR
CONDITIONING,

Defendant.

BOARD OF TRUSTEES OF THE
PLUMBERS AND PIPEFITTERS
LOCAL 525 HEALTH AND WELFARE
TRUST AND PLAN, *et al.*,

Plaintiffs,

v.

FRANCISCO GONZALEZ-FARIAS, *et*
al.,

Defendants.

TRUSTEES OF THE PLUMBERS AND
PIPEFITTERS NATIONAL PENSION
FUND AND INTERNATIONAL
TRAINING FUND,

Plaintiffs,

v.

SECURITY PLUMBING & AIR
CONDITIONING, *et al.*,

Defendants.

Lead Case No.: 2:14-cv-01027-APG-PAL

Member Case No.: 2:15-cv-00824-APG-PAL

Member Case No. 2:15-cv-01148-APG-PAL

**ORDER DENYING MOTION FOR
ENTRY OF DEFAULT**

(ECF No. 62)

Plaintiffs Trustees of the Plumbers and Pipefitters National Pension Fund and International Training Fund ("National Funds"), have filed a motion asking the clerk of court to enter default against defendants Security Plumbing and Mountain Lion. ECF No. 60. The National Funds base their request on the fact that Security and Mountain Lion violated Magistrate Judge Leen's Order

1 that they obtain new counsel and file a notice of appearance. ECF No. 57. Entry of default by the
2 clerk of court is appropriate when a party has not appeared in a case. Fed. R. Civ. P. 55(a). The
3 clerk cannot enter default due to a violation of a court order. That sanction must come from a judge.
4 Notably, the National Funds have filed a separate motion asking the court to strike the pleadings
5 filed by Security and Mountain Lion and to enter default judgment against them. ECF No. 62. That
6 is a more appropriate way to seek the relief requested by the National Funds.

7 IT IS THEREFORE ORDERED that the plaintiffs' motion for entry of default (**ECF No.**
8 **60)** is **DENIED**.

9 Dated: August 26th, 2016.

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12 ANDREW P. GORDON
13 UNITED STATES DISTRICT JUDGE
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